

**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

**In the Matter of:**

<b>ELECTRONIC TARIFF FILING OF EAST</b>	<b>)</b>	
<b>KENTUCKY POWER COOPERATIVE, INC. TO</b>	<b>)</b>	<b>CASE NO.</b>
<b>ESTABLISH A NEW TARIFF FOR DATA CENTER</b>	<b>)</b>	<b>2025-00140</b>
<b>POWER</b>	<b>)</b>	

**RESPONSES TO ATTORNEY GENERAL’S FIRST INFORMATION REQUEST**  
**TO EAST KENTUCKY POWER COOPERATIVE, INC.**

**DATED JUNE 30, 2025**

**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

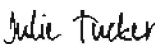
**In the Matter of:**

<b>ELECTRONIC TARIFF FILING OF EAST</b>	)	
<b>KENTUCKY POWER COOPERATIVE, INC. TO</b>	)	<b>CASE NO.</b>
<b>ESTABLISH A NEW TARIFF FOR DATA CENTER</b>	)	<b>2025-00140</b>
<b>POWER</b>	)	

**CERTIFICATE**

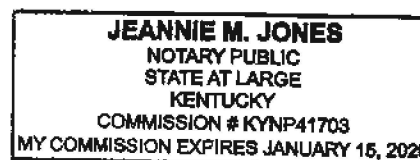
**STATE OF KENTUCKY** )  
                                  )  
**COUNTY OF CLARK**     )

Julia J. Tucker, being duly sworn, states that she has supervised the preparation of the responses of East Kentucky Power Cooperative, Inc. to the Attorney General's First Request for Information in the above-referenced case dated June 30, 2025, and that the matters and things set forth therein are true and accurate to the best of her knowledge, information and belief, formed after reasonable inquiry.

  
\_\_\_\_\_  
Julia J. Tucker

Subscribed and sworn before me on this 14<sup>th</sup> day of July, 2025.

  
\_\_\_\_\_  
Notary Public



**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

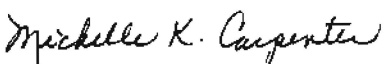
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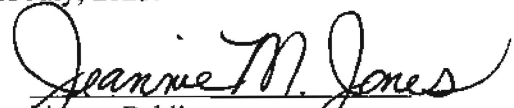
**CERTIFICATE**

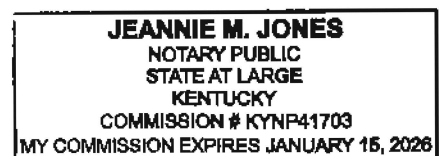
**STATE OF KENTUCKY**   )  
  )  
**COUNTY OF CLARK**     )

Michelle K. Carpenter, being duly sworn, states that she has supervised the preparation of the responses of East Kentucky Power Cooperative, Inc. to the Attorney General's First Request for Information in the above-referenced case dated June 30, 2025, and that the matters and things set forth therein are true and accurate to the best of her knowledge, information and belief, formed after reasonable inquiry.

  
\_\_\_\_\_  
Michelle K. Carpenter

Subscribed and sworn before me on this 14<sup>th</sup> day of July, 2025.

  
\_\_\_\_\_  
Notary Public





**EAST KENTUCKY POWER COOPERATIVE, INC.**  
**CASE NO. 2025-00140**  
**FIRST REQUEST FOR INFORMATION RESPONSE**

**ATTORNEY GENERAL'S REQUEST DATED JUNE 30, 2025**

**REQUEST 1**

**RESPONSIBLE PARTY: Julie J. Tucker**

**Request 1.** See Proposed Tariff at Section III. (1), "Eligible Data Center Requirements." Define "load factor."

**Response 1.** "Load Factor" is defined as the ratio of the average load to the maximum load over a specific period. It is the ratio of total energy used within a period to the total possible energy that could have been used had the load consumed energy at its peak demand for that entire period. For example, a load with a 100 MW peak demand that used 100 MW for an entire hour would result in a 100% load factor (100 MWh consumed / 100 total possible MWh = 100%). A load with a 100 MW peak demand that used 50 MW for an entire hour would result in a 50% load factor (50 MWh consumed / 100 total possible MWh = 50%).

**EAST KENTUCKY POWER COOPERATIVE, INC.**  
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**REQUEST 2**

**RESPONSIBLE PARTY: Julie J. Tucker and Michell K. Carpenter**

**Request 2.** See Proposed Tariff Section IV. (1), "General Contract Requirements."

- a. Regarding the "KSPC Approval" process, does EKPC agree that such a review will require submission of a detailed incremental/marginal cost study?
- b. If no, why not?
- c. If yes, will the Company agree to make that an expressed requirement of the Proposed Tariff?

**Response 2.** EKPC does not believe a marginal cost study would be necessary. EKPC will be able to identify all capital costs associated with serving a data center with a high degree of certainty. Operational and maintenance costs and corporate overhead expenses will also be ascertainable with a high degree of confidence based upon proportional load share calculations based upon the data center's operating profile.

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**REQUEST 3**

**RESPONSIBLE PARTY:**                 **Julie J. Tucker**

**Request 3.**                 See Proposed Tariff at Section V. "Resource Selection and Cost Recovery" and Direct Testimony of Samford at 6.

- a.         Confirm whether, for loads less than 250 MW, the Tariff provides that EKPC may serve Qualifying Customers using existing EKPC generating resources.
- b.         If so, confirm that those resources would have been utilized for the benefit of existing customers but for the service of the new load.

**Response 3.**

- a.         This is correct, provided such resources are available.
- b.         A data center would only get the benefit of using EKPC's existing generating resources if they were not used by EKPC's Owner-Members' non-data center customers. If EKPC did not have excess capacity, it would have to procure capacity to serve the data center, but the capacity would not necessarily be dedicated to the data center.

**EAST KENTUCKY POWER COOPERATIVE, INC.**  
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**REQUEST 4**

**RESPONSIBLE PARTY: David Samford**

**Request 4.** See Proposed Tariff at Section V. "Resource Selection and Cost Recovery," Sheet No. 105-106. If the load is to exceed 250 MW, it is required to be served by a "Dedicated Resource," "unless otherwise determined by EKPC in its sole discretion."

- a. Discuss whether, for loads in excess of 250 MW, the Tariff requires the customer to be served fully by a "Dedicated Resource."
- b. Is a Dedicated Resource effectively a "new" resource to the EKPC system?
- c. Why should the utility retain discretion in this instance, as opposed to strictly construing the requirement to procure Dedicated Resources?

**Response 4.**

- a. Yes. The data center would be required to be served entirely by Dedicated Resources; however, this could take the form of self-supplied generation, EKPC-owned generation or bilateral market purchases. The purpose of this provision is to segregate the data center's power supply needs so that the associated costs are properly allocated to the data center and not subsidized by non-data center customers.



b. A Dedicated Resource may be “new” to the EKPC system, but it could be a generation unit that has been in existence and in operation for many years in service to non-EKPC load. The concept of a Dedicated Resource in the proposed tariff is purposefully general so as to provide maximum optionality on how best to serve data centers without prejudicing non-data center customers.

c. The utility is ultimately responsible for serving load and thus must have the final say on how to optimize its system to provide reliable and safe service at competitively priced rates. Nevertheless, EKPC will work closely with all data centers and other prospective loads to develop a power supply plan that meets their needs and objectives with costs and risks appropriately allocated.

**EAST KENTUCKY POWER COOPERATIVE, INC.**  
**CASE NO. 2025-00140**  
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**ATTORNEY GENERAL'S REQUEST DATED JUNE 30, 2025**

**REQUEST 5**

**RESPONSIBLE PARTY:               David Samford**

**Request 5.**               See Proposed Tariff at Sheet No. 107, "Cost Recovery Generally."

a.       Discuss whether the provision specifically requires the Qualifying Customer to pay costs of incremental generation, transmission, and other costs driven by service of the Qualifying Customer.

b.       If a Qualifying Customer is being served by EKPC generating resources that pre-existed the Qualifying Customer, discuss specifically how EKPC will calculate and apportion the costs and benefits of those resources.

**Response 5.**

a.       Yes. The proposed tariff follows principles of cost causation such that the data center pays for the costs it causes EKPC or the Owner-Member to incur or accrue.

b.       A data center Qualifying Customer would only take capacity or power from EKPC's existing system that is in excess of the needs of its current loads. In such instance, costs would be apportioned on the basis of the proportional load shares served from the pre-existing generation unit.

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**REQUEST 6**

**RESPONSIBLE PARTY: David Samford**

**Request 6.** See Proposed Tariff at Attachment A at Sheet No. 118, "EKPC-Supplied Dedicated Resource." How does EKPC define "without acting to the detriment of EKPC's non-Rate DCP rate classification members?"

**Response 6.** EKPC intends this phrase to mean that to the extent any action necessary to be taken to serve the data center causes an adverse or detrimental impact to non-data center customers, the data center shall be obligated for both the direct costs associated with the action as well as the indirect costs that accrue to non-data center customers. In a general sense, this is "hold harmless" language that benefits non-data center customers.

**EAST KENTUCKY POWER COOPERATIVE, INC.**  
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**REQUEST 7**

**RESPONSIBLE PARTY:               David Samford**

**Request 7.**               See Proposed Tariff at Attachment A at Sheet No. 118, "Dedicated Resource Project Financing."

- a.       Discuss how it is possible for EKPC to obtain financing for Dedicated Resources without negatively impacting existing customers?
- b.       Would such financing not by necessity increase risk to and limit the borrowing potential of existing and native growth customers?

**Response 7.**

- a.       EKPC believes that, if necessary, it is possible to use a project financing model to build a Dedicated Resource to supply a data center with minimal financial risk to non-data center customers or even to other data centers. In such a situation, EKPC would not be seeking or guaranteeing its subsidiary's financing for the Dedicated Resource. The collateral for the project financing would be the power purchase agreement between EKPC and the Dedicated Resource subsidiary and, importantly, the guarantee from the data center or its parent to the Dedicated Resource's lenders.

- b. See response to 7.a.

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**REQUEST 8**

**RESPONSIBLE PARTY: David Samford**

**Request 8.** Would load served under the Proposed Tariff be interruptible? If not, why not?

**Response 8.** Load under the proposed data center is eligible for EKPC's Rate D – Interruptible Power.